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DE RUEHBU #1272/01 3241834
ZNR UUUUU ZZH
R 201833Z NOV 09
FM AMEMBASSY BUENOS AIRES
TO RUEHC/SECSTATE WASHDC 0076
INFO MERCOSUR COLLECTIVE
RUEHBO/AMEMBASSY BOGOTA
RUEHPE/AMEMBASSY LIMA
RUEHQT/AMEMBASSY QUITO

UNCLAS BUENOS AIRES 001272

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [SNAR](#) [AR](#)

SUBJECT: ARGENTINA: 2009-2010 International Narcotics Control
Strategy Report Part 1 Draft

REF: A) STATE 97230; B) CRAIG-HOOKER 11/10/09 EMAIL

[1](#)1. (U) Per reftel, Buenos Aires draft INCSR report follows, with partial changes suggested by INL Washington in response to first draft (ref. B).

[1](#)2. (SBU) Argentina

Part I. Summary

Argentina continued to be an important transshipment route for Andean-produced cocaine during 2009, with most of the traffic going to Europe as well as ephedrine bound for illicit trafficking in Mexico and the United States. Marijuana also entered the country in significant quantities, much of it for domestic consumption. Argentina is a source country for some precursor chemicals sent to neighboring countries for the production of cocaine. Argentina is not a narcotics-producing country, though there is evidence of small labs operating in remote areas in the northwest that transform cocaine "base" into cocaine hydrochloride (HCl). An Argentine Supreme Court decision in September 2009 decriminalized the personal possession of small quantities of marijuana; the decision is thought to imply similar treatment for other drugs, but does not alter criminal penalties for selling or trafficking drugs. Argentine law enforcement agencies sustain counter-drug operations as a priority. The country is a party to the 1988 United Nations (UN) Drug Convention.

Part II. Status of Country

Argentina is a transshipment route for cocaine from Bolivia, Peru, and Colombia destined for Europe and other destinations. Large seizures of cocaine in Europe have been linked to Argentina, and individual carriers of small quantities from Argentina to Europe are regularly discovered. There is evidence of increasing use by traffickers of light aircraft to bring drugs into the country across the long northern borders with Bolivia and Paraguay. A cheap, readily available and mentally debilitating drug "paco" (a derivative of cocaine production) is consumed in Argentina's poorer neighborhoods. Seizures of illicit ephedrine continued to be significant during 2009.

Argentina cooperated effectively with the United States, European

and other South American partners in narcotics investigations and regularly participated in U.S.-sponsored training in 2009. Argentina's enforcement efforts would benefit from increased regulatory authorities to seize unregistered precursor chemicals and to fine those found in possession of them.

Part III. Country Actions Against Drugs

Policy Initiatives: In September 2009, Argentina's Supreme Court issued a ruling acquitting a group of young men convicted for possessing small amounts of marijuana. Statements by members of the Court made it apparent the ruling was intended to decriminalize personal possession of small amounts of marijuana and that it may be applied to other drugs as well. Convictions of the drug dealers in the same marijuana case were upheld. Government of Argentina (GOA) officials have also advocated decriminalization of personal possession of small quantities via legislation as well, arguing that such a measure would permit shifting of scarce police and judicial resources away from individual users and toward drug trafficking organizations, as well as freeing up funds for substance abuse treatment.

In September 2009, the GOA established, under the authority of the Chief of Cabinet, a National Coordinating Commission for Public Policy Regarding Prevention and Control of Illicit Drug Trafficking, International Organized Crime, and Corruption. The Commission was composed of leading jurists, social scientists and scientists who had participated in a 2008-2009 Scientific Assessment Committee focused on the same issues. The new Commission is to have a leading role in implementing a National Counter-Drug Plan. Many elements of the plan focus on efforts to deal with prevention and treatment of addictions. It also envisions a role in enhancing coordination among national law enforcement activities as well as addressing cooperation with international partners. The commission has proposed tighter controls over certain medicines as well as mechanisms to detect suspicious patterns in the trade of precursor chemicals. The National Plan envisions redefining the role of SEDRONAR, the Secretariat of Planning for the Prevention of Drug Addiction and Drug Trafficking.

Separately in 2009, law enforcement agencies of the Government of Argentina were working to apply additional resources to what many viewed as an increasing push by drug traffickers across the country's northern borders by both land and air. One effort focused on increasing the current minimal radar coverage in the north.

Accomplishments: Argentine security forces actively seized cocaine during 2009, including several seizures during the first half of the year of over 200 kilograms of cocaine. Almost 92 percent of total Drug Enforcement Administration (DEA)-assisted cocaine seizures of 2,373 kilograms from January through September 2009 were made in the northwest border region by the Northern Border Task Force (NBTF), the Gendarmeria (Frontier Guard), or the Salta and Jujuy provincial police forces. Over 14 metric tons of marijuana was seized in Argentina during this time frame, principally on the eastern border region where Argentina, Brazil and Paraguay meet or along the western border with Chile. Argentine authorities seized over 8,750 kgs of ephedrine during 2009 in the greater Buenos Aires area, as well as 80,000 units of MDMA seized by provincial law enforcement authorities. In addition, Gendarmeria forces in northern Argentina seized 85 liters of sulfuric acid and 200 liters of hydrochloric acid.

Law Enforcement Efforts: The Government of Argentina is seeking to shift resources from the arrest and prosecution of individual users toward the disruption and prosecution of drug traffickers and other organized crime. The shift will require further refinement of investigative capacities among law enforcement agencies and the judicial system and additional refinements to eliminate case

backlogs and other delays in the legal system.

Corruption: The GOA is publicly committed to fighting corruption and prosecuting those implicated in corruption investigations. It is not government policy, nor are any senior GOA officials known to engage in, encourage, or facilitate the illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions. Independent judges and an active investigative press are known to explore allegations of corrupt practices by individual law enforcement or judicial authorities.

Agreements & Treaties: Argentina is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention as amended by the 1972 Protocol, the 1971 UN Convention on Psychotropic Substances; the UN Convention against Transnational Organized Crime and its three Protocols; and the UN Convention against Corruption. The United States and Argentina are parties to an extradition treaty that entered into force on June 15, 2000, and a bilateral mutual legal assistance treaty (MLAT) that entered into force on December 13, 1990. Both of these agreements are actively used by the United States with the GOA. Argentina has bilateral narcotics cooperation agreements with many neighboring countries. In addition, Spain, the United Kingdom, Germany, Australia, France, Italy and the Netherlands provide limited counternarcotics training and equipment. In 1990, U.S. Customs and Border Protection signed a Customs Mutual Assistance Agreement with the Government of Argentina. Argentina is also a party to the Inter-American Convention against Corruption, Inter-American Convention of Mutual

Assistance in Criminal Matters, the Inter-American Convention against Trafficking in Illegal Firearms, and the Inter-American Convention against Terrorism.

Cultivation/ Production: Some marijuana is grown in Argentina, but most of that consumed in Argentina appears to enter from neighboring countries. There are occasional discoveries of small labs converting cocaine base to HCl in the country, utilizing imported cocaine paste. The discovery of one lab preparing to transform ephedrine in 2008 raised concerns about the emergence of synthetic drug production in the country, but only small-scale production facilities were discovered in 2009.

Drug Flow/Transit: Colombian cocaine HCl entering Argentina is largely destined for international cocaine markets, primarily Europe but also Asia and the United States. Cocaine HCl seizures have risen over time, from a reported 2.5 metric tons (MT) in 2006 to 7 MT in 2008 and ? MT in 2009. There is an indigenous population along the northern border with Bolivia that traditionally consumes coca leaf and maceration pits were discovered in 2009, though the scale of production is thought to be limited. Proceeds from drug-smuggling ventures organized in Argentina are often brought back to the country by couriers in bulk cash shipments and then wired to the United States for investment or smuggled directly into the United States. Most of the marijuana consumed in Argentina originates in Paraguay and is smuggled across the border into the provinces of Misiones and Corrientes, from where it is then transported overland to urban centers or onward to Chile. Argentina received significant ephedrine imports in 2007 and the first half of 2008, and subsequent investigations and seizures indicated that much of the drug was bound for illicit commerce to Mexico or the United States. Argentina changed its regulations on ephedrine imports in September 2008, stopping the excessive legal trade; Argentine and US law enforcement officials continue to collaborate against attempts by drug traffickers to illicitly import or transship the chemical.

Demand Reduction Programs: Drug use by Argentine youth has been steadily climbing over the past decade, with marijuana prevalence among high school students recorded at 8.1 percent in 2007; cocaine use among the population aged 15-64 was 2.67 percent, according to the United Nations Office of Drug Control. SEDRONAR has played a lead role in coordinating GOA demand reduction efforts, but that role may be evolving with the establishment of the National Coordinating Commission for Public Policy Regarding Prevention and Control of Illicit Drug Trafficking, International Organized Crime, and Corruption. The GOA, in collaboration with private sector entities, sponsors a variety of print and broadcast information campaigns which have a nationwide reach.

Part IV. U.S. Initiatives and Programs

Policy Initiatives: U.S. efforts in Argentina focus on four core areas: reducing Argentina's role as a transit point for drug trafficking by disrupting and dismantling the major drug trafficking organizations in the region; promoting regional counternarcotics cooperation among Andean and Southern Cone nations; and maximizing host nation drug enforcement capabilities; and fortifying bilateral cooperation with host nation law enforcement agencies.

Bilateral Cooperation: U.S. Government agencies work closely with host nation counterparts, including the Argentine Federal Police (PFA), the Gendarmeria (Frontier Guard), Prefectura (Coast Guard), Special Airport Police (PSA), Customs, and judicial authorities to pursue specific investigations and to provide training and equipment to enhance host nation capacity. Key U.S. Government agencies operating in Argentina with counterparts include the Drug Enforcement Administration (DEA), Immigration and Customs Enforcement (ICE), and the Legal Attache (FBI). The State Department and U.S. Military Group, responsive to the U.S. Southern Command, provide support for training that contributes to the counter-drug mission. Argentine authorities are receptive to training, cooperation on investigations, and equipment donations.

A key element of U.S.-Argentine cooperation, funded with State

Department INL and DEA resources, is the Northern Border Task Force (NBTF), a joint law enforcement group comprising federal and provincial elements operating in Argentina's northwestern provinces of Jujuy and Salta to interdict the drug flow from Colombia, Peru, and Bolivia. The U.S. Government also supports an Eastern Border Task Force (EBTF), located in Misiones Province, that acts against illicit drug smuggling activities in the tri-border area with Paraguay and Brazil.

Argentine authorities actively coordinate counter-drug activities with neighboring countries. U.S. Government support has helped facilitate this cooperation by supporting joint training and seminars in the region and providing software and equipment for the sharing of real-time drug investigation leads.

The Road Ahead: The GOA has made significant progress in enhancing its interdiction capabilities and its controls over precursor chemicals. It seeks to apply new resources to prevention of use and the treatment and rehabilitation of addiction. Such efforts are crucial given the rapidly changing nature of the drug trade and the potentially damaging impact of increasingly potent drugs available through international traffic.

The Embassy has offered additional technical assistance and training related to precursor chemicals, investigative techniques, interdiction, and legal assistance. Some steps that could be usefully taken by Argentina include: enhancing the regulatory authority of law enforcement agencies to seize unregistered precursor chemicals and to levy fines for their transport; outlawing money laundering-type transactions without the necessity of proving an illicit origin for the money; improving judicial procedures for the confiscation and administrative sale of seized criminal properties; and enhancing vigilance of the national

borders and air space, particularly in the north-central part of
the country.
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